

ORDINANCE
OF THE MAYOR AND COUNCIL OF THE CITY OF COLLEGE PARK AMENDING
CITY CODE CHAPTER 11, "AUTHORITIES", ARTICLE II, "AIRPORT
AUTHORITY", BY AMENDING §11-5, "CREATION; MEMBERS; COMPENSATION;
CONFLICTS OF INTEREST"; AMENDING CHAPTER 15 "BOARDS, COMMISSIONS
AND COMMITTEES", BY ENACTING §15-2, "TERMS AND APPOINTMENT;
REPEALING AND RE-ENACTING §15-3, "MEMBERSHIP; TERMS"; §15-34 POWERS
AND DUTIES; §15-35, "ORGANIZATION"; §15-37, "STAFF LIAISON" AND DELETING
ARTICLE III, "COLLEGE PARK CABLE TELEVISION COMMISSION", §§ 15-9
THROUGH 15-17, IN ITS ENTIRETY AND §15-23, "TERMS OF OFFICE"; AND
RESERVING THE ARTICLE; AMENDING CHAPTER 38, "ETHICS, CODE OF",
ARTICLE II, "ETHICS COMMISSION" BY REPEALING AND REENACTING §38-5,
"ESTABLISHMENT", CHAPTER 138, "NOISE", BY REPEALING AND RE-ENACTING
§138-3, "NOISE CONTROL BOARD"; AND AMENDING CHAPTER 179, "TREE AND
LANDSCAPE MAINTENANCE", BY REPEALING AND RE-ENACTING §179-5, "TREE
AND LANDSCAPE BOARD"; TO DISCONTINUE THE CABLE TELEVISION
COMMISSION; SET CONSISTENT TERMS FOR ALL BOARD, COMMISSION AND
COMMITTEE MEMBERS APPOINTED UNDER CHAPTERS 15, 38, 138 AND 179 AND
AIRPORT AUTHORITY MEMBERS APPOINTED UNDER CHAPTER 11; REMOVE
OVERLY PRESCRIPTIVE STAFF LIAISON AND MEMBERSHIP REQUIREMENTS,
AND REQUIRE ANNUAL WORK PLANS FOR MAYOR AND COUNCIL REVIEW
AND APPROVAL, FROM CERTAIN BOARDS, COMMISSIONS AND COMMITTEES

WHEREAS, the Local Government Article of the Annotated Code of Maryland provides that the Mayor and Council of the City of College Park have the authority to pass such ordinances as it deems necessary to preserve peace and good order, and to protect the health, comfort and convenience of the residents of the municipality; and

WHEREAS, the City of College Park is ably assisted by many volunteers who dedicate their time and energies to being part of City boards, commissions and committees; and

WHEREAS, the Mayor and Council wish to ensure that City boards, commissions and committees, and the Airport Authority, are as productive, efficient, and inclusive as possible, while also responding to the current needs of the City and acting in conformance with the City's Mission, Vision, Strategic Plan, Goals and Council Priorities; and

CAPS	: Indicate matter added to existing law.
[Brackets]	: Indicate matter deleted from law.
Asterisks * * *	: Indicate matter remaining unchanged in existing law but not set forth in Ordinance.
CAPS	: Indicate matter added in amendment
[Brackets]	: Indicate matter deleted in amendment

WHEREAS, the Mayor and Council appointed the Committee on Committees to review the purposes, functions, and rules for boards, commissions and committees; and

WHEREAS, the Committee on Committees has issued its recommendations; and

WHEREAS, the Mayor and Council have adopted the recommendations of the Committee on Committees; and

WHEREAS, this Ordinance adopts those recommendations into the City Code.

Section 1. NOW THEREFORE, BE IT ORDAINED AND ENACTED, by the Mayor and Council of the City of College Park, that Chapter 11 “Chapter 11, “Authorities”, Article II, ‘Airport Authority”, §11-5, “Creation; Members; Compensation; Conflicts Of Interest be and is hereby repealed and reenacted with amendments to read as follows:

§ 11-5 Creation; members; compensation; conflicts of interest.

A. There is hereby created and established the College Park Airport Authority, hereinafter sometimes referred to as the "Authority," which shall consist of seven members, all of whom shall reside in and be qualified voters of the City of College Park, Maryland. The members shall be appointed by the Mayor and City Council. ~~[and shall serve for a term of three years. Vacancies shall be filled by the Mayor and City Council for any unexpired portion of a term. Members of said Authority shall serve without compensation.]~~ MEMBER TERMS ARE GOVERNED BY CHAPTER 15, BOARDS, COMMISSIONS AND COMMITTEES, §15-2, TERMS AND APPOINTMENT.

B.

Section 2. BE IT FURTHER ORDAINED AND ENACTED by the Mayor and Council of the City of College Park that Chapter 15 “Boards, Commissions and Committees”, Article I, “General Provisions”, §15-2, “Terms and appointments” be and is enacted to read as follows:

§ 15-2 TERMS AND APPOINTMENTS.

A. THE TERMS OF ALL CURRENT MEMBERS OF THE BOARDS, COMMISSIONS AND COMMITTEES APPOINTED UNDER CHAPTERS 15, 38, 138 AND 179 OF THIS CODE, AND ALL CURRENT MEMBERS OF THE AIRPORT AUTHORITY, SHALL EXPIRE JUNE

30, 2020. SUBJECT TO REAPPOINTMENT AS FOLLOWS: ON JULY 1, 2020, THE CURRENT MEMBERS OF THE SAID BOARD, COMMISSION OR COMMITTEES AND THE AIRPORT AUTHORITY WILL BE RE-APPOINTED TO A ONE (1), TWO (2), OR THREE (3) YEAR TERM DETERMINED THROUGH A LOTTERY SYSTEM. AS EACH RE-APPOINTED MEMBER'S TERM ENDS, THE SUBSEQUENT TERM FOR THAT POSITION SHALL BE FOR THREE YEARS, WITH THE INTENTION THAT THE TERMS OF ONE THIRD OF THE MEMBERSHIP WILL EXPIRE ON JUNE 30 ANNUALLY. IN THE EVENT THAT AN EXISTING MEMBER OF A BOARD, COMMISSION OR COMMITTEE OR THE AIRPORT AUTHORITY DOES NOT SEEK TO BE RE-APPOINTED ON JULY 1, 2020, A NEW MEMBER WILL BE APPOINTED, WITH A TERM DETERMINED THROUGH THE LOTTERY SYSTEM.

B. APPLICATIONS FOR APPOINTMENT TO A BOARD, COMMITTEE OR COMMISSION OR THE AIRPORT AUTHORITY, OR REAPPLICATIONS BY MEMBERS WHOSE TERMS ARE EXPIRING, WILL BE ACCEPTED FOR ALL TERMS BEGINNING AFTER JULY 1, 2020.

C. A POSITION VACATED BEFORE THE EXPIRATION OF A TERM SHALL BE FILLED BY APPOINTMENT, AS AUTHORIZED FOR EACH BOARD, COMMISSION OR COMMITTEE, FOR THE EXTENT OF THE UNEXPIRED TERM.

Section 3. BE IT FURTHER ORDAINED AND ENACTED by the Mayor and Council of the City of College Park that Chapter 15, "Boards, Commissions and Committees", Article II, "College Park Recreation Board", §15-3, "Membership; terms", be and it is hereby repealed, reenacted and amended to read as follows:

§ 15-3 Membership; terms.

Membership on the College Park Recreation Board shall be composed of up to 10 members appointed by the Mayor and Council [~~for three-year terms~~] with a goal of representation from each district. MEMBER TERMS ARE GOVERNED BY CHAPTER 15, BOARDS, COMMISSIONS AND COMMITTEES, §15-2, TERMS AND APPOINTMENTS.

Section 4. BE IT FURTHER ORDAINED AND ENACTED by the Mayor and Council of the City of College Park that Chapter 15, “Boards, Commissions and Committees”, Article II, “College Park Recreation Board”, §15-8, “Responsibilities of Chairperson and Board”, be and it is hereby repealed, reenacted and amended to read as follows:

§ 15-8. Responsibilities of Chairperson and Board.

A. – C. * * * * *

D. THE RECREATION BOARD SHALL PROVIDE AN ANNUAL REPORT AND WORK PLAN, ON OR BEFORE THE DATE, AND IN THE FORMAT, DETERMINED BY THE MAYOR AND COUNCIL.

Section 5. BE IT FURTHER ORDAINED AND ENACTED by the Mayor and Council of the City of College Park that Chapter 15, “Boards, Commissions and Committees”, Article III, “College Park Cable Television Commission”, §§15-9 – 15-17, be and it is hereby repealed in its entirety and reserved.

Section 6. BE IT FURTHER ORDAINED AND ENACTED by the Mayor and Council of the City of College Park that Chapter 15, “Boards, Commissions and Committees”, Article IV, “Advisory Planning Commission”, §15-23, “Terms of office”, be and it is hereby repealed in its entirety as follows:

~~[§ 15-23 Terms of office.~~

~~Appointment to the Advisory Planning Commission shall be for three-year terms. Initially, three of the Advisory Planning Commission members shall be given two-year terms, and the other four members shall be given three-year terms. This shall allow for staggered terms among the membership.]~~

Section 7. BE IT FURTHER ORDAINED AND ENACTED by the Mayor and Council of the City of College Park that Chapter 15, “Boards, Commissions and Committees”, Article VIII, “Committee for a Better Environment”, §15-34, “Powers and duties”, be and it is hereby repealed, reenacted and amended to read as follows:

15-34 Powers and duties.

The Committee shall advise the Mayor and Council on environmental issues affecting the lives of College Park residents and shall initiate and implement sustainability efforts. The duties and responsibilities of the Committee shall be established by resolution of the Mayor and City Council. THE COMMITTEE FOR A BETTER ENVIRONMENT SHALL PROVIDE AN ANNUAL REPORT AND WORK PLAN, ON OR BEFORE THE DATE AND IN THE FORMAT DETERMINED BY THE MAYOR AND COUNCIL.

Section 8. BE IT FURTHER ORDAINED AND ENACTED by the Mayor and Council of the City of College Park that Chapter 15, “Boards, Commissions and Committees”, Article VIII, “Committee for a Better Environment”, §15-35, “Organization”, be and it is hereby repealed, reenacted and amended to read as follows:

§ 15-35 Organization.

A. The Committee shall consist of members appointed by the Mayor and Council. ~~[Each member shall serve for a term of three years and shall be eligible for reappointment.]~~ There shall be no more than 25 members on the Committee.

B. – C. * * * * *

Section 9. BE IT FURTHER ORDAINED AND ENACTED by the Mayor and Council of the City of College Park that Chapter 15, “Boards, Commissions and Committees”, Article VIII, “Committee for a Better Environment”, §15-37, “Staff liaison”, be and it is hereby repealed, reenacted and amended to read as follows:

§15-37. “Staff liaison.

A member of the City's ~~[planning]~~ staff shall be appointed staff liaison to the Committee. The City Horticulturist shall be available to attend meetings of the Committee upon request of the Committee Chair, consistent with the Horticulturist's schedule.

Section 10. BE IT FURTHER ORDAINED AND ENACTED by the Mayor and Council of the City of College Park that Chapter 15, “Ethics, Code of”, Article II, “Ethics Commission”, §38-5, “Establishment”, be and it is hereby repealed, reenacted and amended to read as follows:

§ 38-5 Establishment.

A. * * * * *

B. MEMBER TERMS ARE GOVERNED BY CHAPTER 15, BOARDS, COMMISSIONS AND COMMITTEES, §15-2, TERMS AND APPOINTMENTS.

Members of the Commission [~~shall be appointed to renewable two-year terms and during those terms~~] may only be removed for cause DURING ANY TERM.

C. – E. * * * * *

Section 11. BE IT FURTHER ORDAINED AND ENACTED by the Mayor and Council of the City of College Park that Chapter 138, “Noise”, §138-3, “Noise Control Board”, be and it is hereby repealed, reenacted and amended to read as follows:

§138-3. Noise Control Board.

A. – B. * * * *

C. [~~Members of the Noise Control Board shall be appointed to terms of four years.~~] MEMBER TERMS ARE GOVERNED BY CHAPTER 15, BOARDS, COMMISSIONS AND COMMITTEES, §15-2, TERMS AND APPOINTMENTS.

D. * * * *

Section 12. BE IT FURTHER ORDAINED AND ENACTED by the Mayor and Council of the City of College Park that Chapter 179, “Tree and Landscape Maintenance”, §179-5, “Tree and Landscape Board”, be and it is hereby repealed, reenacted and amended to read as follows:

§179-5. Tree and Landscape Board.

§ 179-5 **Tree and Landscape Board.**

A. Board membership and operation.

(1) * * * *

(2) The Board shall have the following [~~nine~~] voting members: five residents of the City appointed by the Mayor and Council of the City of College Park, the Chairperson of the

Committee for a Better Environment or designee, the City Forester, [~~the Planning, Community and Economic Development Director or designee and the Public Works Director or designee~~]
AND A CITY STAFF LIAISON.

(3) [~~The five Board members appointed by the Mayor and Council shall serve staggered, two-year terms.~~] MEMBER TERMS ARE GOVERNED BY CHAPTER 15, BOARDS, COMMISSIONS AND COMMITTEES, §15-2, TERMS AND APPOINTMENTS

(4) - (5) * * * * *

B. Duties and responsibilities of the Board.

(1) - (6) * * * * *

(7) PROVIDE AN ANNUAL REPORT AND WORK PLAN, ON OR BEFORE THE DATE
AND IN THE FORMAT DETERMINED BY THE MAYOR AND COUNCIL

Section 13. BE IT FURTHER ORDAINED AND ENACTED by the Mayor and Council of the City of College Park that, upon formal introduction of this proposed Ordinance, which shall be by way of a motion duly seconded and without any further vote, the City Clerk shall distribute a copy to each Council member and shall maintain a reasonable number of copies in the office of the City Clerk and shall post at City Hall, to the official City website, to the City-maintained e-mail LISTSERV, and on the City cable channel, and if time permits, in any City newsletter, the proposed ordinance or a fair summary thereof together with a notice setting out the time and place for a public hearing thereon and for its consideration by the Council.

The public hearing, hereby set for _____ P.M. on the _____ day of _____, 2020, shall follow the publication by at least seven (7) days, may be held separately or in connection with a regular or special Council meeting and may be adjourned from time to time. All persons interested shall have an opportunity to be heard.

After the hearing, the Council may adopt the proposed ordinance with or without amendments or reject it. This Ordinance shall become effective on _____, 2020 provided that, as soon as practicable after adoption, the City Clerk shall post a fair summary of the Ordinance and

notice of its adoption at City Hall, to the official City website, to the City-maintained e-mail LISTSERV, on the City cable channel, and in any City newsletter.

If any section, subsection, provision, sentence, clause, phrase or word of this Ordinance is for any reason held to be illegal or otherwise invalid by any court of competent jurisdiction, such invalidity shall be severable, and shall not affect or impair any remaining section, subsection, provision, sentence, clause, phrase or word included within this Ordinance, it being the intent of the City that the remainder of the Ordinance shall be and shall remain in full force and effect, valid and enforceable.

INTRODUCED by the Mayor and Council of the City of College Park, Maryland at a regular meeting on the ____ day of _____ 2020.

ADOPTED by the Mayor and Council of the City of College Park, Maryland at a regular meeting on the ____ day of _____ 2020.

EFFECTIVE the ____ day of _____, 2020.

ATTEST:

CITY OF COLLEGE PARK

Janeen S. Miller, CMC, City Clerk

Patrick L. Wojahn, Mayor

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:**

Suellen M. Ferguson, City Attorney